

Application No.
Z-12-06-04
(Rezoning Request)

Applicant
Board of County Commissioners /
Buck Creek - Conservation Charlotte

Quasi-Judicial

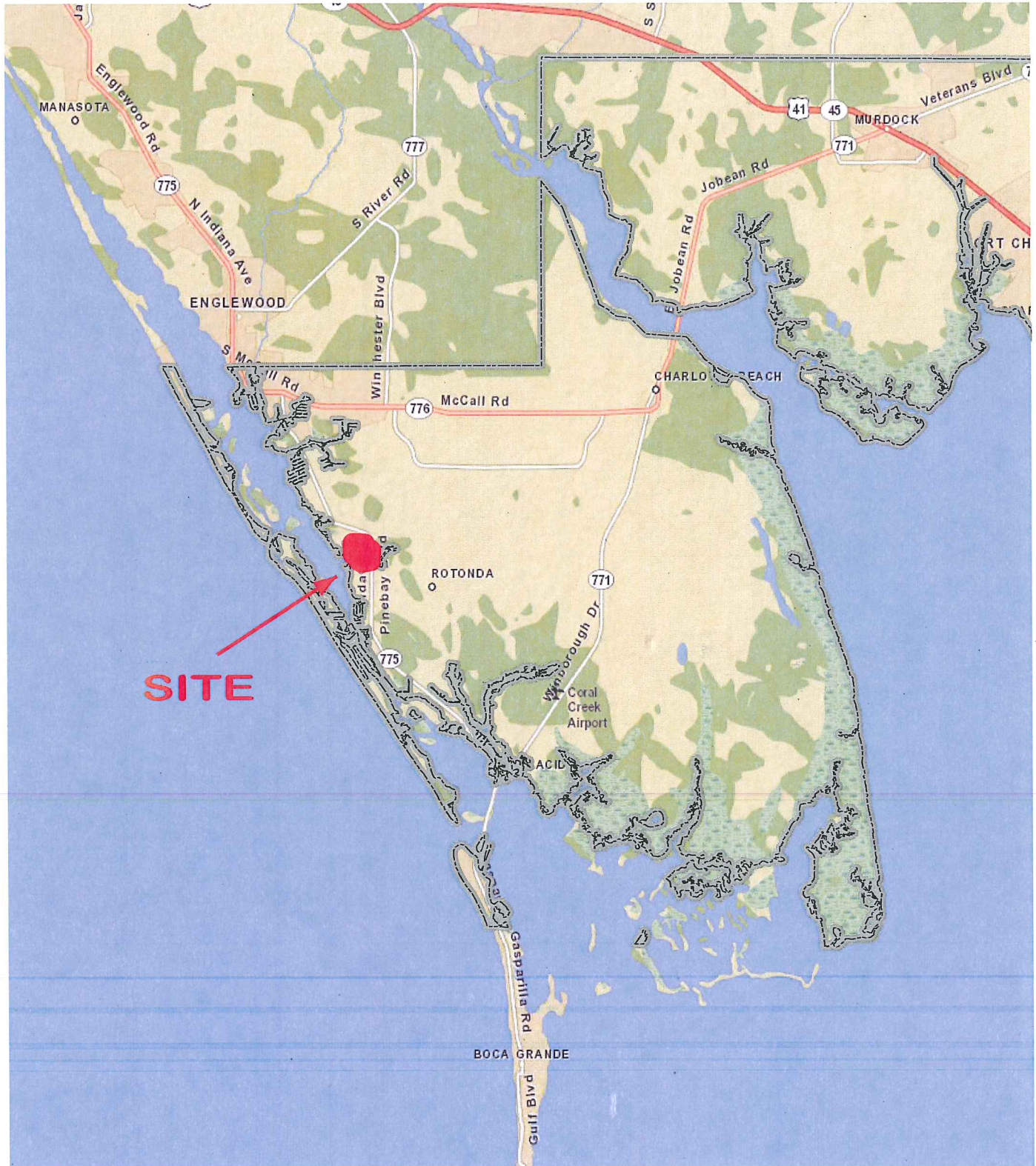
Commission Dist. III



Open
for Business

Z-12-06-04
BoCC / Buck Creek Preserve
- Conservation Charlotte Properties
General Area Map

Map Prepared By
Charlotte County
Community Development
Department



21/41/20 West-County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for Informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created 08-23-2012



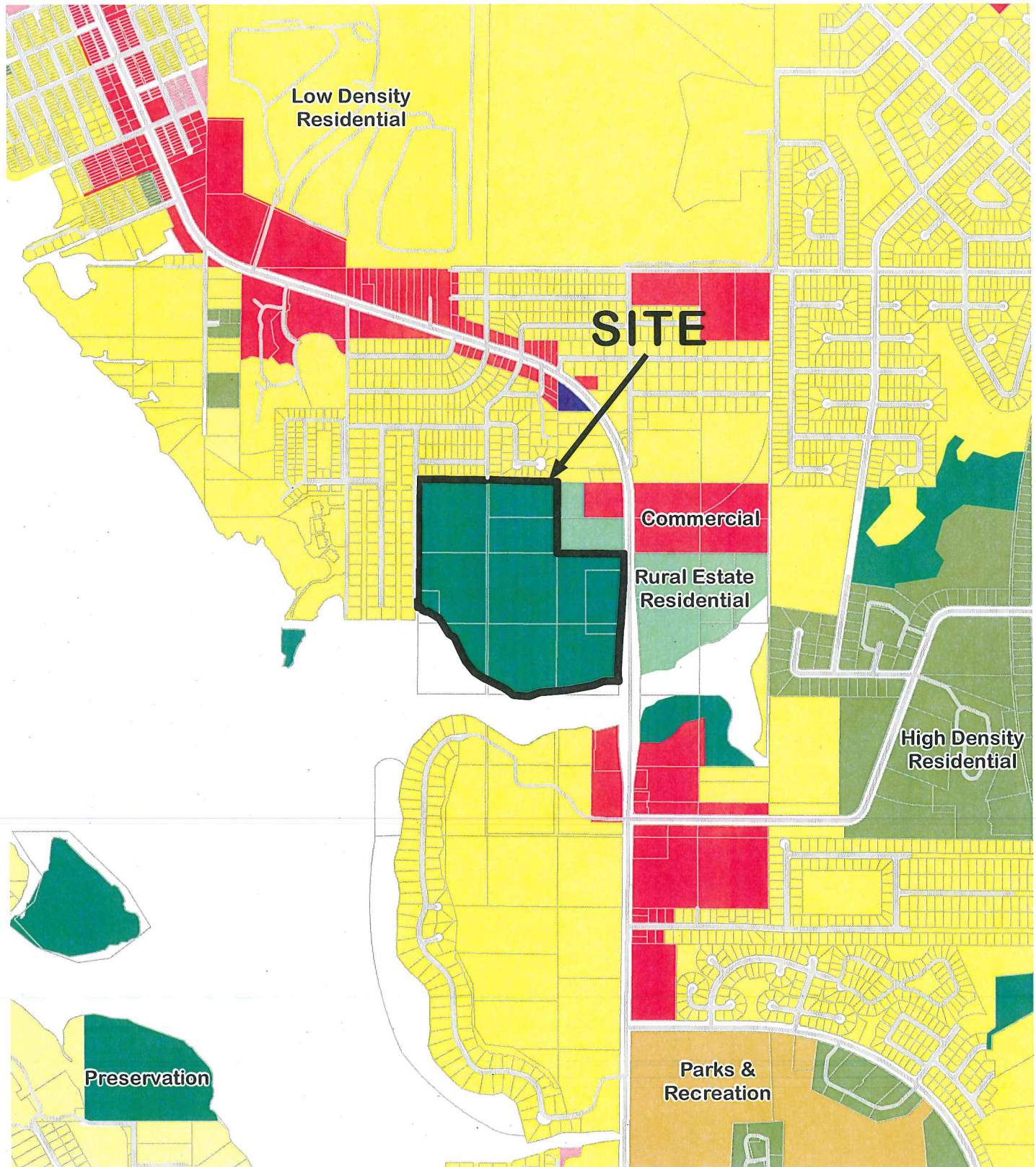


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Z-12-06-04

BoCC / Buck Creek Preserve
- Conservation Charlotte Properties
2030 Future Land Use Designations

Map Prepared By
Charlotte County
Community Development
Department



21/41/20 West-County

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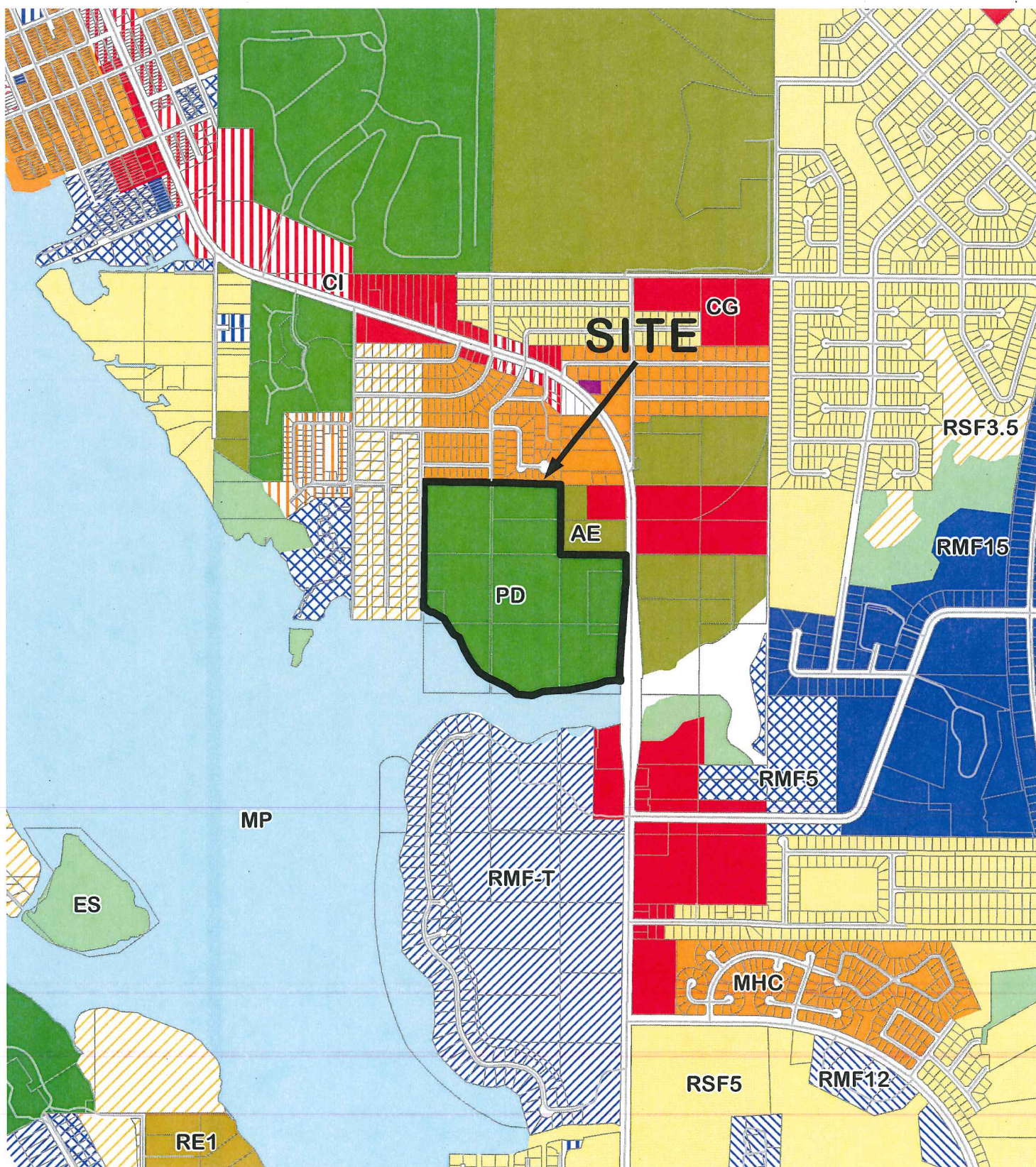




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Z-12-06-04
BoCC / Buck Creek Preserve
- Conservation Charlotte Properties
Zoning Districts

Map Prepared By
Charlotte County
Community Development
Department



21/41/20 West-County

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Community Development Department Staff Report for Z-12-06-04

DATE: August 20, 2012

TO: Honorable Board of County Commissioners
The Planning and Zoning Board

FROM: Jie Shao, Planner III

REQUESTED

ACTION(S): A publicly initiated request to amend the Charlotte County Zoning Atlas from Planned Development (PD) to Environmentally Sensitive (ES)

PART I

Applicant(s): Charlotte County Board of County Commissioners
18500 Murdock Circle
Port Charlotte, FL 33948

Owner(s): Same as applicant

**General Location
and Acreage:**

The subject property is located north of Buck Creek, southwest of Placida Road and east of Lemon Bay, in the Grove City area; it contains 69.9± acres.

Account Number(s): 412021254001, 412021330001, 412021330002, 412021401001, 412021401002

Analysis:

The subject property, Buck Creek Preserve, is located in the West County area and was purchased by Conservation Charlotte, which is a County program that purchases environmentally-sensitive lands in order to preserve them from development. The property is currently designated as Preservation on the 2030 Future Land Use map and zoned Planned Development (PD).

The purpose of the rezoning request is to provide consistency between the Future Land Use map and the Zoning Atlas and to formally designate an existing County environmental preserve as Environmentally Sensitive (ES).

Consistency with the Smart Charlotte 2050 Comprehensive Plan (Smart Charlotte)

Rezoning the subject property to Environmentally Sensitive (ES) is supported by many of the goals, objectives, and policies of Smart Charlotte.

Compatibility and Impacts

The subject property is a Conservation Charlotte purchase and is located on Placida Road, in the Grove City area. The site is in the Rural Service Area. It contains upland and wetland environmentally-sensitive habitats used by species listed as endangered by the Florida Fish and Wildlife Conservation Commission and the US Fish and Wildlife Service. Buck Creek adjoins to the south and southwest of the site. Further to the south, across Buck Creek, there is the Lemon Bay Golf Club and some vacant residential properties. To the west, there is Pine Cove Subdivision. Further to the west, there is Lemon Bay. Mobile Homes, single-family homes, and scattered vacant residential lots are located to the north of the subject property. The proposed change to ES will ensure that only low impact uses consistent with a preserve will occur on the site, so it will have no adverse impacts on the adjacent land uses.

Concurrency issues

According to the County's Park and Natural Resources Division, the County plans to maintain the subject property for preservation purposes. Therefore, since no development will occur on this land, there are no concurrency issues for the County's roadways and utility capacities.

Staff Recommendation:

Approve adoption of Petition No. Z-12-06-04 based on the findings and analysis in the Comprehensive Planning Division staff report dated August 20, 2012 and any evidence presented at the public hearing on the application.

Conclusion:

Staff recommends approval of this rezoning because it is consistent with Smart Charlotte.

The Planning and Zoning Board proposed recommendations:

"Motion to forward application No. Z-12-06-04 to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report dated August 20, 2012 and any evidence presented at the public hearing on the application."

PART II: RESEARCH AND FINDINGS

1. **2050 Framework Designation:** The entire site is designated Agricultural/Rural.
2. **2030 Service Area Delineation:** The entire site is located in the Rural Service Area.
3. **Existing Land Use on the Site:** The subject property was purchased using Conservation Charlotte funds. The site is called the Buck Creek Preserve. The site is dominated by a combination of scrubby and mesic flatwoods, where gopher tortoises are commonly seen and a bald eagle makes its home. Two freshwater marshes occur onsite and are havens for several species of wading birds, along with the mangrove fringe along the creek bed.

4. Existing Designation(s):

FLUM	Development Standard
Preservation (PR)	<p>These lands will be maintained as aquatic preserves, wilderness areas, wildlife sanctuaries, and similar uses for the protection of open spaces, natural lands, natural waterbodies, wetlands, and watersheds.</p> <p><u>General Range of Uses</u></p> <p>Allowable development activities include public services and facilities and those necessary for management of the resource and limited public access, as applicable, and sparse residential use. Uses permitted in preservation areas shall be primarily of a passive nature, related to the aesthetic, educational and scientific enjoyment of the natural resources. Development identified within an approved land management plan of a public land management agency that uphold the allowable development activities listed above are considered consistent with this designation.</p> <p><u>Maximum Density/Intensity</u></p> <ul style="list-style-type: none"> • <i>Density:</i> Residential densities may not exceed one dwelling unit per 40 acres (consistent with Special Provisions provided below) and must be developed so as to minimize any impacts to natural resources. • <i>Intensity:</i> The maximum Floor Area Ratio (FAR) for all non-residential structures is 0.1 and the maximum impervious surface coverage for all residential and non-residential uses is ten percent.
Zoning	Development Standard
Planned Development (PD)	<p><u>Minimum lot and yard requirements.</u> There are no minimum lot and yard requirements for this district, provided no structure shall be located closer to the peripheral property line of the PD than twenty-five (25) feet or as required by section 3-9-98, "Waterfront property," as the same may be amended, whichever is greater. If the PD abuts water, the minimum setback shall be twenty (20) feet. However, minimum lot and yard requirements other than those contained in this section and section 3-9-98 may also be established through the final site plan approval process.</p>

	<p><u>Maximum height of structures.</u> There is no maximum height for structures in this district, except as required by section 3-9-98, "Waterfront property," as the same may be amended. Maximum height limits other than those contained in section 3-9-98 may also be established through the PD review process.</p> <p><u>Open space.</u> A minimum of twenty (20) percent of the entire PD parcel or phase shall be open space, which may include vegetated areas unencumbered by an impervious surface.</p> <p><u>Utilities.</u> Potable water supply, sewage treatment and water management systems, utility lines and easements shall be designed in accordance with requirements of the county subdivision regulations except as modified in subsection (c) (1)e of this section, "Relation to utilities, public facilities and services."</p> <p><u>Internal circulation.</u> Streets to be dedicated to the public shall be designed and constructed in accordance with the subdivision regulations or other appropriate design standards. All streets shall be designed to provide safe, efficient and convenient access to land uses within the development and to roadways adjacent to the development. In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the master plan.</p>
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Table 1

5. Proposed Designation(s):

FLUM	Development Standard
N/A	N/A

Zoning	Development Standard
Environmentally Sensitive (ES)	<p>The purpose and intent of the environmentally sensitive district is to preserve and protect certain land and water areas in unincorporated Charlotte County which have overriding ecological, hydrological, physiographic importance to the public at large.</p> <ul style="list-style-type: none"> • Minimum lot area is 10 acres. • Minimum width is 250 feet. • Maximum lot coverage is 10 percent. • Maximum building height is 38 feet. • Maximum density is 1 unit per 10 acres.

Table 2

6. Surrounding Land Uses and their Future Land Use Map and Zoning Designations:

Direction	Existing Land Use	FLUM Designation	Zoning District Designation
North	Mobile homes Single-family homes Vacant residential lands	Low Density Residential (LDR)	Mobile Home Conventional (MHC) Residential Multi-family 5 (RMF-5)
East	Placida Road Vacant residential land Vacant commercial lands Churches	Rural Estate Residential (RER) Commercial (COM)	Agriculture Estates (AE) Commercial General (CG)
South	Buck Creek Lemon Bay Golf Club Vacant residential lands	Low Density Residential (LDR) Commercial (COM)	Marine Park (MP) Residential Multi-family, Tourist (RMF-T))

	Single-family homes		Commercial General (CG)
West	Pine Cove Subdivision including single-family homes, vacant residential lands, and common areas Lemon Bay	Low Density Residential (LDR); Preservation (PR)	Residential Single-family 3.5 (RSF-3.5) Residential Multi-family 5 (RMF-5) Marine Park (MP) Environmentally Sensitive (ES)

Table 3

7. Buildout Calculations (square footage &/or density):

The subject property will contain one unit of residential density.

8. Is the subject site within a Community Planning Area or Special Plan area?

The site is located with Grove City Community Planning area.

9. Is the subject site located adjacent to existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves?

The subject site is located adjacent to the Lemon Bay Aquatic Preserve, a State aquatic preserve maintained by the Florida Department of Environmental Protection.

10. Is the proposed land use designation(s) consistent with the provisions of the:

- a. Charlotte Harbor Aquatic Preserves Management Plan?** The subject property is located outside the boundary of the Charlotte Harbor Aquatic Preserves.
- b. Lemon Bay Aquatic Preserve Management Plan?** Yes, this designation preserves environmentally-sensitive lands from development and provides a buffer along Buck Creek, which feeds directly into Lemon Bay.

11. Does the subject site contain any designated archaeological site or historic structures?

According to the Florida Master Site File, the subject property does not contain any designated archaeological or historic structures.

12. Are there wetlands on the property?

- a. Number of acres of Category I:** This site is owned and managed by Charlotte County as a conservation/preservation area. It contains highly sensitive wetlands.
- b. Number of acres of Category II:** The subject property contains highly sensitive wetlands.

13. Natural Resources:

- a. Significant natural resources and/or critical habitat for endangered/potentially endangered species:** Yes. According to the County Environmental Specialist's report dated August 20, 2012, the property contains highly sensitive surface water, wetland and upland habitats that are utilized by a wide diversity of species listed by the United States Fish and Wildlife Service (FWS) or Florida Fish and Wildlife Conservation Commission (FWCC) as endangered, threatened, or a species of special concern. One such example includes FWC

Bald Eagles nest #CH025 which has been documented on site and active for the last several years.

b. Possible impacts to groundwater, surface water, wetlands or other significant natural resources:

There will be no negative impacts to these significant natural resources.

c. Is the subject site within the Special Surface Water Protection Overlay District? No

d. Is the subject site within the Watershed Overlay District? No

e. Is the subject site within a Wellhead Protection Area? No

f. Is the subject site within the Prime Aquifer Recharge Area? No

14. Coastal Planning:

a. Is the subject site within the Coastal Planning Area? The site is located within the Coastal Planning Area.

b. Could the proposed changes impact beach accessibility? No

c. Could the proposed change affect other waterfront access? No

d. Flood Zone: The entire site is located in Flood Zone 11AE, an area with a determined base flood elevation of 11 feet.

e. Storm Surge Evacuation Zone: The site is located within Evacuation Zone A.

f. Coastal High Hazard Area? Yes

g. Could the proposed changes impact evacuation times? No

15. Facilities and Services

a. Nearest Park: N/A

b. Nearest Police Station:

Name: District 1

Address: 6868 San Casa Drive, Englewood

Distance: approximately 0.2 miles to the south of the subject site

c. Nearest Fire/EMS Station:

Name: Charlotte County Station No. 13

Address: 6868 San Casa Road, in the Englewood area

Response Time: Approximate response time is 4-6 minutes

d. Nearest Library: N/A

e. Nearest Hospital:

Name: Peace River Regional Medical Center

Address: 2500 Harbor Boulevard, Port Charlotte

Distance: approximately 21.7 miles to the northeast of the subject site

f. Nearest Potential Emergency Shelter: N/A

g. Nearest Public Schools: N/A

16. Concurrency

a. Roads Level of Service: See attached report from Venkat Vattikuti, Transportation Planner

b. Potable Water Level of Service:

1. *Provider's Name:* Englewood Water District (EWD)

2. *Analysis:* The site is not currently provided with water service, but it is located in an area served by Englewood Water District (EWD). The County plans to preserve the site in perpetuity.

c. Sanitary Sewage Level of Service:

1. *Provider's Name:* Charlotte County Utilities (CCU)
2. *Analysis:* The site is not currently provided with sanitary sewage service, but it is located in an area served by Englewood Water District (EWD). The County plans to preserve the site in perpetuity.

d. Park and Recreation Level of Service:

1. *Level of Service*
Adopted Level of Service is 16 Park, Recreation and Open Space (PROS) point per 1,000 populations
2. *Analysis:*
A 2009 analysis shows that the County currently has 17.2 PROS points per 1,000 populations.

e. Schools: N/A

f. Solid Waste:

1. *Refuse Collector:* Waste Management Inc. of Florida
2. *Solid Waste Provider:* Public Works Department - Municipal Solid Waste Management
3. *Level of Service*
 - Solid Waste (Landfill) 5.0 pounds per day per equivalent fulltime resident
 - Solid Waste (Recycle) 2.2 pounds per day per equivalent fulltime resident
 - Zemel Rd. landfill currently has capacity to dispose of 4.6 million cubic yards of waste. The landfill has a projected remaining lifespan to the year 2027. An existing estimated 170 acres for future disposal cells will provide disposal capacity beyond the year 2050.

g. Drainage:

1. *Level of Service*
New arterials – flood free in the 100-year rainfall event
New and improved collectors - not less than one lane of traffic in each direction above the design high water elevation from a 25-year, 24-hour rainfall.
New local residential streets - designed and constructed with the pavement centerline at or above the design high water elevation resulting from a 5-year, 24-hour rainfall
Stormwater management facilities - in all new subdivisions manage a 25-year, 24-hour rainfall.
New parking facilities- maximum temporary detention depth of nine (9) inches resulting from a 5-year, 24-hour rainfall.
New development on existing platted lots (except single-family, duplex, and triplex dwellings) - on-site stormwater management for a 25-year, 24-hour rainfall.
2. *Analysis:*
The Southwest Florida Water Management District and the Community Development Department review stormwater management plans on a project by project basis.

17. Capital Improvements Program

- a. Are any updates to the CIP required as a result of this petition? No

18. Intergovernmental Coordination

- a. Does this amendment require comments from or coordination with adjacent governments or other governmental agencies? No

19. Has a public hearing been held on this property within the last year? No

20. 2050 Comprehensive Plan; Goals, Objectives, and Policies that may be relevant to the proposed amendment:

FUTURE LAND USE ELEMENT

FLU GOAL 1 SMART GROWTH FRAMEWORK

Implement a land use and development framework based upon Smart Growth Principles that will:

- Preserve and protect natural resources.
- Preserve and support agricultural uses.
- Protect and enhance residential neighborhoods.
- Promote economic development.
- Prevent urban sprawl.
- Encourage and support energy efficient land use forms.
- Ensure adequate services and facilities to serve new and existing development.
- Protect private property rights.

FLU GOAL 2 SMART GROWTH CONCEPT PLAN IMPLEMENTATION - NATURAL RESOURCE PROTECTION

Promote land use practices that:

- Preserve and protect natural resources and wildlife habitat.
- Target additional acquisition to close gaps in regional and Statewide wildlife corridors.
- Improve the quality of water that discharges into surface waters and groundwaters.
- Minimize environmental impacts within the built environment by reducing carbon emissions, minimizing water use, utilizing alternative energy resources and controlling pollution.

FLU Objective 2.1 Protect Natural Lands

To create, protect and manage systems of green infrastructure including open spaces within developments, conservation lands, areas protected by easement or covenant, parks, wetlands, and floodplains.

FLU Policy 2.1.1 Conservation Lands

The County shall protect conservation lands in public and private ownership and assure the protection of large-scale conservation areas across the County. The planning principles that guide the decisions regarding the identification and protection of these conservation areas include:

1. Protect native biological diversity.
2. Protect viable portions of natural plant communities.
3. Link conservation lands.
4. Allow for natural flooding, prescribed fires and other natural land management tools.

NATURAL RESOURCES ELEMENT

ENV GOAL 2 PROTECT NATURAL RESOURCES

Protect, conserve, enhance and manage native habitats and natural communities to ensure viable use continues for present and future generations of terrestrial and aquatic floral and faunal species and the enjoyment of the public.

ENV Objective 2.2 Regional Conservation Strategy

To protect plant and animal diversity and distribution by protecting listed and imperiled plant and wildlife habitats, providing for habitat corridors, and preventing habitat degradation, isolation or fragmentation through a regional conservation strategy.

ENV Policy 2.2.6 Environmental Land Protection

The County shall protect environmental lands using all available methods, including: land acquisition; incentives; land development requirements for the provision of conservation and preservation areas; and denial of increases in density and intensity.

ENV Policy 2.2.7 Environmental Acquisition and Management

The County shall acquire and manage environmental lands using all available opportunities including, but not be limited to: levying an ad valorem tax; obtaining State, Federal and non-profit grant funding; land swaps; public/private partnerships; public/public partnerships (such as Florida Communities Trust); community land trusts; and conservation easements. All lands acquired by the County for preservation shall be managed to retain their environmental value.

21. Standards for Rezoning Approval:

For the rezoning of land, the recommendation of the Planning and Zoning Board shall be made after giving due consideration to:

a. Would the proposed change be contrary to the Comprehensive Plan?

Finding: The proposed ES zoning district is consistent with the Preservation Future Land Use Map designation. The proposed change is consistent with Smart Charlotte.

b. The existing land use pattern in adjacent areas:

Finding: The subject property is located to the west of Placida Road. Buck Creek is directly located to the south and southwest of the subject site. To the west, there is an established residential neighborhood, called Pine Cove Subdivision. Further to the west, there is Lemon Bay. There are mobile homes, single-family residences, and some vacant residential lots located to the north of the site.

c. The population density pattern and possible increased load on public facilities, such as schools, utilities, and roads:

Finding: No impacts on utilities or schools, very minimal impacts on roads.

d. Would changed conditions make the passage of the proposed amendments appropriate?

Finding: None are needed.

- e. Would the proposed change adversely influence living conditions or property values in adjacent areas?**

Finding: The proposed change may favorably influence living conditions and property values in adjacent areas.

- f. Would the proposed change affect public safety?**

Finding: No

- g. Would the proposed change reduce light and air to adjacent areas?**

Finding: No

- h. Are there substantial reasons why the property cannot be used in accordance with the existing zoning?**

Finding: The property was purchased with Conservation Charlotte funds. The property is no longer available for any development; retention of Planned Development zoning designation would be misleading.

Attachment 1
Legal Description for Buck Creek Preserve Rezoning Properties

Account Number	Short Legal	Legal Description
412021254001	ZZZ 214120 LT1	21 41 20 LTS 1 & 4 10 AC. M/L TH SW 1/4 OF SW1/4 OF NE1/4. 253/47 352/515 668/137 765/698 1119/12 1253/1537 1564/1003-09 1571/1333-1356 1571/1363 3038/1038 3108/638
412021330001	ZZZ 214120 P24 (portion of the property zoned PD)	21-41-20 P-24 18.14 AC. M/L LTS 37 TO39 INC LESS P-24-1 0.96A AKA LTS 37 TO 39 OF GROVE CITY LAND CO PB1/18 253/47 691/568 765/698 1119/12 1253/1537 1571/1333-1356 1571/1363 3038/1038 3108/638 RES3350/981
412021330002	ZZZ 214120 P24-1 (portion of the property zoned PD)	21-41-20 P-24-1 0.96 AC. M/L BEG NW COR LT 38 SOUTH 1177 FT M/L TO MHWL OF BUCK CREEK FOR POB N 157 FT E 200 FT S 260 FT & TO MHWL BUCK CK NWERLY ALG BUCK CK 235 FT M/L TO POB AKA PT LOT 38 GROVE CITY LAND CO PB1 PG 18 691/567 728/1912 765/698 DC1036/397 1119/12-14 1184/765 DC1184/769 1253/1537 1564/3001-09 1571/1333-1356 1571/1363 3038/1038 3108/638
412021401001	ZZZ 214120 P19 (portion of the property zoned PD)	21-41-20 P19 ALL LOTS 32 & 33 PART OF LTS 26 & 27 LESS ST RD ROW 253/47 520/533 691/568 668/137 AKA PART OF LTS 26& 27 & ALL LTS 32&33 OF GROVE CITY LAND CO PB1 PG 18 253/47 520/533 691/567 765/698 1119/12 1253/1537 1564/1003-09 1571/1333-1356 1571/1363 3038/1038 3108/638
412021401002	ZZZ 214120 P19-1	21-41-20 P-19-1 4.5 AC. M/L COMM INTXN N LINE LOT 26 & W ROW SR775 SOUTH 1 60 FT FOR POB. TH W 360 FT S 600 FT E 322.3 FT NE 476.3 FT E 5 FT N124.40 FT TO POB AKA PT OF LT 26&27 GROVE CITY LAND CO PB1 PG18 691/567 728/1912 743/2250 1119/12 1253/1537 1564/1003-09 1571/1333-56 1571/1363 3038/1038 3108/638



MEMORANDUM

Date: August 17, 2012
To: Jie Shao, Planner III
From: Jamie Scudera, Environmental Specialist
Subject: Z-12-06-04
Buck Creek – Conservation Charlotte Property

The Current Planning and Zoning Environmental Review Section reviewed the above referenced petition for **environmental, landscaping and tree compliance** and offer the following comments:

The applicant is proposing to amend the current Zoning designation from Planned Development (PD) to Environmentally Sensitive (ES). This site was acquired as part of a county-wide voter approved tax program titled Conservation Charlotte.

The property contains highly sensitive surface water, wetland and upland habitats that are utilized by a wide diversity of species listed by the United States Fish and Wildlife Service (FWS) or Florida Fish and Wildlife Conservation Commission (FWCC) as endangered, threatened, or a species of special concern. One such example includes FWC Bald Eagles nest #CH025 which has been documented on site and active for the last several years.

Charlotte County staff encourages the preservation of imperiled, rare and protected habitats and supports the rezoning to better support the use of the property (if any) in the future.

Please contact me if you have any questions or need additional information (941) 743-1290.

JS

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GROWTH MANAGEMENT DEPARTMENT

Zoning Division

18500 Murdock Circle | Port Charlotte, FL 33948
Phone: 941.743.1290 | Fax: 941.743.1598



CHARLOTTE COUNTY
 COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for REZONING

Date Received: JUNE 7, 2012	Time Received:
Date of Log-in: JUNE 13, 2012	Petition #: 2-12-06-04
Receipt #: N/A	Accela #: —
	Amount Paid: N/A

1. PARTIES TO THE APPLICATION

Name of Applicant: Charlotte County Community Development Department

Mailing Address: 18500 Murdock Circle

City: Port Charlotte

State: FL

Zip Code: 33950

Phone Number: 941-743-1272

Fax Number: 941-743-1292

Email Address: jie.shao@charlottefl.com

Name of Agent: Jie Shao

Mailing Address: Same

City:

State:

Zip Code:

Phone Number:

Fax Number:

Email Address:

Name of Engineer/Surveyor: N/A

Mailing Address:

City:

State:

Zip Code:

Phone Number:

Fax Number:

Email Address:

Name of Property Owner (if more than one property owner, attach a separate sheet with a list of all owners):
 Charlotte County Board of County Commissioners

Mailing Address:

City:

State:

Zip Code:

Phone Number:

Fax Number:

Email Address:

2. PROPERTY INFORMATION

If more than one account number exists, attach a separate sheet listing all information required by this section

Property Account #: 412021254001, 412021330001, 412021330002, 412021401001, 412021401002		
Section: 21	Township: 41	Range: 20
Parcel/Lot #: P-19 Lots 32, 33; P-19-1; P-24-1; P-24; Lots 1 & 4	Block #:	Subdivision: ZZZ
Total acreage or square feet of the property: 69.9± acres		

3. SURVEY:

- For unplatted property, provide one original boundary survey that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.
- For platted land, provide one original surveyor's sketch that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.

4. PROOF OF LAND OWNERSHIP: Provide the most current *Title Insurance Policy* or an *Ownership and Encumbrance Report* on the subject property.

5. NOTARIZED AUTHORIZATION:

- If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application – use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- If an agent is submitting the application for the applicant – authorization from the applicant is required – use Form B, attached.

6. RESTRICTIONS: Provide a copy of any covenants, easements or restrictions that have been recorded for the subject site.

7. EXISTING LAND USE DESIGNATIONS

Future Land Use Map (FLUM) designation(s)	Acreage
Preservation	69.9± acres
Zoning District(s)	Acreage
PD	69.9± acres

8. APPLICANT'S PROPOSED CHANGE(S):

Amending Zoning designation(s) to: ES

If the proposed change involves an increase in density, which of the Receiving Zone criteria does the property meet, or would this be an exemption consistent with a Revitalization Plan?
No

9. REASON FOR PROPOSED CHANGE(S):

To make the Zoning Atlas consistent with the 2030 Future Land Use designation

10. CURRENT LAND USE OF SUBJECT PROPERTY (example: house, vacant land, barn, etc.):

The site is currently vacant and is part of Conservation Charlotte.

11. SURROUNDING LAND USES:

North: Mobile homes

South: Buck Creek

East: Placida Road, vacant residential and commercial lands , County-owned properties

West: Single-family homes

12. ENVIRONMENTAL ASSESSMENT:

- Provide an *Environmental Assessment Report*, conducted within one year or less from the date of submittal, that includes:
 - Maps and surveys of the subject site illustrating the existing land cover according to Level 3 of the FLUCCS
 - Locations of listed flora and fauna species, if present.
 - If any wetlands are identified on site, provide a survey showing delineations of any wetlands, acreages, and the wetland Category (ENV Policy 3.1.3) under which they fall.
 - If the property is adjacent to any Federal, State, or County wildlife management areas, parks, preserves or reserves, supply a science-based analysis of possible impacts to the environmental resources of these lands and the manner in which these impacts can be eliminated. Where elimination is not possible, the analysis shall detail how these impacts can be reduced and mitigated.

Requirement is waived.

13. INFRASTRUCTURE:

A. Roadway

- i. List the roads or streets upon which vehicles may travel to gain access to the site (generally within ¼ mile radius):
Placida Road
-
-

- ii. *Traffic Impact Report*: This narrative does not need to be authored by a registered professional engineer. Address the number of vehicle trips that may be generated by development of the subject site at maximum buildout allowed under the proposed FLUM and Zoning.

Requirement is waived.

B. Potable Water and Sanitary Sewer

- i. Submit a letter from any water or sewer utilities that will be serving the subject site stating availability of utility service to the property. N/A
- ii. Attach an *Estimated Potable Water and Sanitary Sewer Usage Report* showing the gallons per day that may be generated by development of the subject site at maximum buildout allowed under the proposed Zoning. *There is no potable water service to this subject property. Requirement is waived.*

14. HISTORICAL OR ARCHEOLOGICAL SITES: When the property under review is within the area determined to contain potential historic and archeological resources by the Archaeological Predictive Model (depicted on SPAM Series Map #3), the applicant must submit an *Archeological/Historical Memo* indicating that a review of the National Register of Historic Places, the Florida Master Site File and the Local Historic Register (when available) has been performed and the results of that review. If the subject site contains any object listed in these resources, the applicant must provide an *Archeological/Historical Survey* performed by a professional archeologist licensed in the State of Florida. *Requirement is waived.*

15. REZONING NARRATIVE

Charlotte County Code Section 3-9-11(e) lists the following standards for approval. A narrative stating the applicant's justification for the rezoning based upon the following standards of approval is required:

- A. Whether the proposed change would be contrary to the Comprehensive Plan. *The proposed ES zoning district is consistent with the Preservation Future Land Use Map designation. The proposed change is consistent with Smart Charlotte.*
- B. The existing land use pattern in adjacent areas. *Residential development to the west and north, Buck Creek to the south, and vacant lands to the east*
- C. The population density pattern and possible increased load on public facilities such as schools, utilities, and streets *No impacts on utilities, schools, or roads.*
- D. Whether changed conditions make the passage of the proposed amendment appropriate *None are needed.*
- E. Whether the proposed change will adversely influence living conditions or property values in adjacent areas. *The proposed change may favorably influence living conditions and property values in adjacent areas.*
- F. Whether the proposed change will affect public safety. *No*
- G. Whether the proposed change will reduce light and air to adjacent areas. *No*
- H. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning. *The property was bought with Conservation Charlotte funds. The property is no longer available for any commercial development.*

16. ADJACENT PROPERTY OWNERS INFORMATION:

Provide an *electronic text file (.txt)* that includes the names and addresses of all property owners within 200 feet of the subject property (excluding street right-of-ways), and a map indicating which

properties are included in the address list. The Adjacent Property Owner List must be based upon the latest available property records of the Property Appraiser's Office. The list shall include property owner's name, mailing address, and parcel(s) or lot(s) description or account number so each parcel can be referenced on the Adjacent Property Owner Map. Refer to the Geographic Information System Internet site for mapping and owner information at <http://www.ccgis.com/>. (Use a buffer of 250 feet or larger in order to account for right-of-ways, canals, etc.) Every property owner within 200 feet of every parcel of land involved will be notified of the schedule of public hearings

AFFIDAVIT

I, the undersigned, being first duly sworn, depose and say that I am the owner or agent of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that if I am not the owner of the property I have attached a notarized authorization from the owner(s) to submit this application. I acknowledge that all items listed in the application must be submitted concurrent at the time the County accepts the application. I swear that the attached list of adjacent property owners is complete, including all property owners within 200 feet of the subject properties (excluding right-of-ways), that it is correct, providing addresses as listed in the County Tax Roll.

STATE OF FLORIDA, COUNTY OF CHARLOTTE

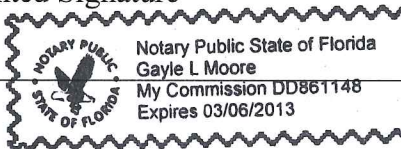
The foregoing instrument was acknowledged before me this 7th day of June, 20 12, by JIE SHAO

who is personally known to me or has/have produced

as identification and who did/did not take an oath.

[Signature]
Notary Public Signature

jie shao
Signature of Applicant or Agent
Jie Shao

Notary Printed Signature

Title

Printed Signature of Applicant or Agent
B208 18500 Murdock Cir.
Address

Commission Code

Port Charlotte, FL 33948
City, State, Zip

941 743 1272
Telephone Number